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13 Attorneys for Defendant,  
14 ITS LOGISTICS, LLC

15 **ADDITIONAL COUNSEL ON FOLLOWING PAGE**

16 **UNITED STATES DISTRICT COURT**  
17 **EASTERN DISTRICT OF CALIFORNIA**

18 KEITH GUTHRIE, individually, on a  
representative basis, and on behalf of all  
others similarly situated;

19 Plaintiff,

20 vs.

21 ITS LOGISTICS, LLC, a Delaware  
Company, and DOES 1 through 20, inclusive;  
22 Defendants.

23 Case No.: 1:21-cv-00729-AWI-EPG

24 **SECOND STIPULATION AND ORDER TO**  
**CONTINUE DEADLINE TO FILE**  
**SUPPLEMENTAL PAPERS IN SUPPORT**  
**OF MOTION FOR PRELIMINARY**  
**APPROVAL**  
(ECF No. 34)

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9 Attorneys for Plaintiff,

10 on a Representative Basis and on behalf of the Putative Class

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1 Counsel for Parties, Plaintiff Keith Guthrie and Defendant ITS Logistics, hereby stipulate that  
2 the Court may enter an order continuing the deadline to file supplemental papers in support of the  
3 Motion for Preliminary Approval of Class Settlement Agreement that is currently set for October 21,  
4 2022 for thirty (30) days to November 21, 2022.

5 The parties met and conferred by phone and agree that good cause exists to continue the  
6 deadline based on the Declaration of Angela S. Cash attached hereto.

7 WHEREFORE, the Parties stipulate to continue the deadline to file supplemental papers in  
8 support of Plaintiff's motion for preliminary approval to November 21, 2022.

9 Respectfully submitted,

10 Dated: October 19, 2022

SCOPELITIS, GARVIN, LIGHT,  
HANSON & FEARY, P.C.

12 BY: \_\_\_\_\_  
13 Christopher J. Eckhart, Esq.  
14 Angela S. Cash, Esq.  
15 Jared S. Kramer, Esq.

16 SCOPELITIS, GARVIN, LIGHT,  
17 HANSON & FEARY, LLP

18 BY: Christopher C. McNatt, Jr., Esq.

19 Attorneys for Defendant  
20 ITS Logistics, LLC

21 Dated: October 19, 2022

LAUBY, MANKIN & LAUBY LLP

22 BY: /s/ Misty M. Lauby  
23 Brian J. Mankin, Esq.  
24 Misty M. Lauby, Esq.

25 Attorneys for Plaintiff

**DECLARATION OF ANGELA S. CASH**

1. I am an attorney licensed to practice before all of the courts of the State of Indiana and the United States District Court Southern District of Indiana. I am a partner at Scopelitis, Garvin, Light, Hanson & Feary, P.C. I represent the Defendant in this action and am admitted *pro hac vice* in this matter. I am thoroughly familiar with and have personal knowledge of all the facts set forth herein. I handle the day-to-day litigation in this matter. I submit this declaration in support of the Parties' Stipulation to Continue Deadline to File Supplemental Papers in Support of Plaintiff's Motion for Preliminary Approval.

2. The Parties herein reached a settlement of the class action on March 8, 2022.

3. Thereafter, Plaintiff submitted his Motion for Preliminary Approval of the Class Action Settlement. (ECF Nos. 21, 22, 23).

4. The Court held a hearing on August 16, 2022, noting various concerns about the proposed settlement and advised that the parties could address the issues discussed at the hearing in a supplemental filing by no later than September 30, 2022.

5. Despite diligent effort to meet this deadline, the Parties were unable to address the numerous issues raised during the hearing and subsequent court order and filed a Stipulation and Order to Continue Deadline to File Supplemental Papers in Support of Motion for Preliminary Approval on September 27, 2022 (ECF No. 32) which was granted on September 28, 2022 (ECF No. 33).

6. Counsel for the Parties have continued to meet and confer and work on a joint submission to the Court to address the outstanding issues on the Motion for Preliminary Approval of the Class Action Settlement but need additional time to complete the joint submission. Defendant ITS is also collecting additional information relative to the outstanding issues and requires additional time to complete that process.

7. Counsel for the Parties have met and conferred by phone and agree that additional time is necessary to address the numerous issues raised during the hearing and subsequent court order.

8. Therefore, the Parties have stipulated to continue the deadline for an additional 30 days

1 to November 21, 2022 to allow time to ensure that all matters are properly addressed.

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3 I declare under penalty of perjury that the foregoing is true and correct and that this declaration  
4 was executed on October 19, 2022 in Indianapolis, Indiana.

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7 ANGELA S. CASH

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## ORDER

Having read the Second Stipulation to Continue Deadline for Supplemental Papers in Support of Motion for Preliminary Approval and Declaration of Angela S. Cash (ECF No. 34), IT IS ORDERED that the deadline to file supplemental papers in support of Plaintiff's Motion for Preliminary Approval currently set for October 21, 2022, is hereby continued to November 21, 2022.

No further extensions to this deadline will be given.

IT IS SO ORDERED.

Dated: October 20, 2022

/s/ Eric P. Groj  
UNITED STATES MAGISTRATE JUDGE